United Nations S/PV.4702

Security Council

Fifty-eighth year

Provisional

4702nd meeting

Thursday, 6 February 2003, 10 a.m.

New York

President:	Mr. Pleuger	(Germany)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Belinga-Eboutou
	Chile	Mr. Maquieira
	China	Mr. Zhang Yishan
	France	Mr. Duclos
	Guinea	Mr. Traoré
	Mexico	Mr. Aguilar Zinser
	Pakistan	Mr. Akram
	Russian Federation	Mr. Lavrov
	Spain	Mrs. Menéndez
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Williamson

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/113)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-23796 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/113)

The President: I should first of all like to welcome the presence at this meeting of the Secretary-General, His Excellency Mr. Kofi Annan.

I should like to inform the Council that I have received letters from the representatives of Greece, Norway and Serbia and Montenegro in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Saharcic (Serbia and Montenegro) took a seat at the Council table; Mr. Vassilakis (Greece) and Mr. Strommen (Norway) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Michael Steiner, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

I see no objection. It is so decided.

I invite Mr. Steiner to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members have before them document S/2003/113, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

At this meeting, the Security Council will hear a briefing by Mr. Michael Steiner, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

I now give the floor to Mr. Steiner.

Mr. Steiner: What do people in Kosovo want? Last week I visited Ferizaj, the third largest town in Kosovo; Pec/Peje, at the foot of the mountains in the west; and Mitrovica, on the banks of the river Ibar, in the north.

In Ferizaj a baker from a socially owned enterprise asked for a secure job; a student wanted "An end to corruption, so I do not have to buy my place at university". In Peje a shopkeeper told me, "Beat crime". And in Mitrovica a teacher from a minority community said, "I want to move around Kosovo without fear". So, it is jobs, security and respect for multi-ethnicity.

Many politicians know that, and are working hard in the Provisional Institutions all over Kosovo. However, I am concerned that others in Pristina are becoming more assertive about status and status-related competences, and do not concentrate enough on the real bread-and-butter issues.

At the same time, Prime Minister Zoran Djindjic has now changed course in Belgrade by also calling for an early resolution of Kosovo's status, and has requested the return of the Serbian State to Kosovo. As the international community concentrates on standards and on what the people want, politicians focus on status.

In tandem with the changing view in Belgrade, we have seen two contrasting moves on the part of Kosovo Serbs. It is good that we will have the Coalition Povratak back in the Assembly after months of boycott. Serb interests in Kosovo can best be represented through the legitimate institutions.

The second move, a unilateral step by others to set up a union of Serb municipalities in the north of

Kosovo, is having a damaging effect on these interests. This union is based on mono-ethnicity. It has no legal relevance, but it undermines work on decentralization by the Council of Europe, which will be starting its mission in Kosovo this coming Monday.

In the light of these developments, how does the United Nations Interim Administration Mission in Kosovo (UNMIK) address the challenges of 2003? As the Council knows, much has been accomplished in the last 12 months. The Kosovans and the international community can be proud of that. But we need to move further. So, this year we intend to focus on the following areas: standards; the three priorities of jobs, security and real multi-ethnicity; the transfer of power; the establishment of direct dialogue between Pristina and Belgrade; and preparing for European integration.

Turning first to standards: for different reasons, and with opposing ideas of what the resolution should be, some in Pristina and Belgrade now seem to agree on "status first". But what actually counts on the ground is improving quality of life by delivering on the standards, or benchmarks. The Security Council's mission saw this for itself during its recent visit. It is also evident from the quarterly report by the Secretary-General, who was in Kosovo in November. But let us be clear: our focus on standards in no way precludes opening direct talks between Pristina and Belgrade. On the contrary, dialogue with Belgrade is one of the eight benchmarks. As the Secretary-General has said, talks on issues of mutual interest should start as soon as possible.

The handout that members will receive is intended to serve as a baseline indicator against which progress towards the benchmarks can be measured each quarter from now on. It summarizes how we intend to operationalize the process.

While there is general agreement on the goals, the Kosovo institutions have not yet engaged with the benchmarks with sufficient vigour. Several Kosovo Albanian politicians have claimed that Kosovo has already achieved the standards. A senior official has publicly claimed that Kosovo has "risen above the Governments of the region in its approach to returns, property rights and freedom of movement".

The standards to be met must, of course, be realistic and measured against the region's performance. It would be unfair to compare Kosovo with, say, Switzerland. However, as the Security Council mission stressed in December, Kosovo is still a long way from having truly functioning democratic institutions and a society where minorities can fully participate. Obviously, we do not expect the institutions to deliver in areas where they do not have instruments. But public figures can and must be held accountable for a sustained effort to promote the values of the rule of law, for example. We expect them to take a stand against crime, to refrain from extremist statements and to call on the public to cooperate with the police and the courts.

Tacit tolerance of crime and corruption must stop. I hope that, with the Council's help, we can convince political leaders and Kosovo society to embrace the benchmarks as a positive challenge. Kosovo institutions will have to rise to it. They have to understand that only the fulfilment of these standards will make the international community confident that Kosovo is ready for substantial self-government. The fulfilment of these standards is necessary also to remove the causes of future conflict and to make Kosovo a normal European society.

Let me also state here that there are many politicians, public figures and journalists in Kosovo who are very supportive of this course. Their vision is encouraging.

Concerning priorities for 2003, UNMIK's strategy is to focus on the standards that are required for a decent life in Kosovo and on what the people actually want. I will concentrate on the priorities for 2003. The first is crime. Overall levels of serious crime declined significantly in 2002. The number of murders last year was half that of 2001, and the clearance rate of murder cases has risen to more than 80 per cent. However, Kosovo was rocked at the turn of the year by a spate of violence and killings. In the space of four weeks, there were three car bombings. Over the past months there also have been a number of high-profile murders. Some of the victims were witnesses for The Hague or in organized crime cases.

No one is above the law. We are intensifying our attack against organized crime, corruption and politically and ethnically motivated violence. Members of the Kosovo Police Service will use their new skills to participate in the most sensitive areas of the fight against serious and organized crime. They will contribute their knowledge of crime networks in Kosovo and the region. Last Thursday I saw in the

police station in Peć/Pejë that this can work. I am also pleased that members of Italy's Guardia di Finanza have now begun their work in the new Financial Investigation Unit to fight corruption and fraud.

The second priority is the economy. Unemployment continues to be the number-one concern. But jobs can be created only by attracting investment, and investment will come only when investors can be confident that their money will not be lost. This will be the case only when they can rely on the legal system and trust the institutions, and when freedom of movement and property rights apply — in other words, when the standards of a functioning democratic society are met.

Together with the Government, I will seek to do everything possible to develop the legal system, institutions and basis for property rights that are needed to generate investor confidence. Here the privatization process will be key. We also have to make it easier for business to invest in Kosovo. For this, we will be opening an office where investors can get through registration and legal requirements quickly: a one-stop investment shop.

The third priority concerns multi-ethnicity. I am concerned about ethnically defined interest politics on the part of both Kosovo Albanians and Kosovo Serbs, as well as on the part of Belgrade. We cannot allow parallel structures to operate. That is also the reason why we established the UNMIK administration in Mitrovica on 25 November and are introducing the Kosovo Police Service in the northern part of the town. More still needs to be done. However, after three and a half years of hearing of nothing from there aside from the "bridge watchers", the international community is now in control.

Belgrade has been helpful on Mitrovica, but in other areas it continues to support parallel structures operating on a mono-ethnic basis. While insisting that Kosovo is part of Serbia, in reality Belgrade focuses exclusively on the interests of only 10 per cent of Kosovo's population.

But the majority Albanian community in Kosovo has equally failed to take ownership of the interests of the Serb community and other minorities. Minorities are still being harassed. Minorities are still afraid to move freely throughout Kosovo. They often lack access to education, health care, public utilities and jobs. We in UNMIK are working hard to create the conditions for increased returns. In 2003 more returns will be possible. But minority rights and returns need to be supported also by the Provisional Institutions with budget appropriations and concrete programmes. Kosovo must prove that it is creating a multi-ethnic society where every Kosovan, regardless of ethnic origin, can live in security and dignity.

I now turn to the transfer of power. It is good that the Assembly and the other institutions want to take on responsibility. I am ready to hand over all competences I legally can to the Provisional Institutions by the end of this year. But the institutions must make progress against the benchmarks and demonstrate that they are equipped to handle added responsibilities and to really accomplish things.

The municipalities now have more than two years' experience of running local affairs. We will soon be able to fully hand over executive responsibilities to the most successful municipalities, and withdraw into a monitoring and oversight function.

On the central level, UNMIK is carrying out a review of how effectively we have actually handed over real responsibility in the transferred areas. We will also seek to identify, together with the Provisional Institutions, all further areas that can be transferred this year. We will then work out, together with them, how that transfer can best be done. Our principle will be effective empowerment. But it is important that the transfer of authority not take the form of the international community's simply abandoning the Kosovo political structures, losing sight of resolution 1244 (1999).

It is not yet one year since the Government was set up. There is still a lack of effective checks and balances between the executive, the legislative, the judiciary and the media. Minority protection is still weak throughout the institutions. The Government itself has asked for our continued support. Despite our own shortcomings — as, surely, UNMIK makes mistakes — we are still needed in Kosovo.

In addition, there are certain things that I cannot fully transfer to the local institutions. I am mandated to act as guarantor for the equal rights and fair treatment of minorities. Together with KFOR, I am answerable for security and civil order, and I will retain authority for external relations.

I do not believe that 2003 is the time for finally resolving Kosovo's status. But it is the time to lay the groundwork for the political process which, in the end, will determine its status. Dialogue between Pristina and Belgrade on issues of mutual interest is necessary in itself and will help enable political dialogue further down the line. Indeed, paragraph 11 (e) of resolution 1244 (1999) mandates me to promote such a process.

It is crucially important that the Security Council, representing the whole international community, remain in charge of Kosovo until the main objective set out in resolution 1244 (1999) is fulfilled. At the same time, Kosovo must prepare for the process of European integration, together with its neighbours in the region.

The European Union (EU) is expected to outline a more energetic strategy with respect to the Balkans at its Thessaloniki Summit on 21 June. In his letter to the Greek and future Italian EU presidencies, Commission President Romano Prodi calls for an even stronger political commitment of the EU and a clear and unambiguous membership perspective. At a meeting of the international representatives from the region with High Representative Javier Solana and Commissioner Chris Patten, held last week in Brussels, we all saw this as essential for success.

But any engagement by the international community must be matched by an equal engagement of our local partners in fulfilling the standards of a functioning democratic society.

In conclusion, what do the people of Kosovo want? What are our priorities? Jobs, security and multi-ethnicity. This is what the standards are about. This is what the international community wants, and this is what people of Kosovo want.

The President: I thank Michael Steiner for his very comprehensive and interesting statement.

Mr. Duclos (France) (*spoke in French*): I wish, of course, to begin by thanking Mr. Steiner for his briefing, which supplemented the comprehensive report of the Secretary-General. I also welcome the presence of the Secretary-General among us at the beginning of this meeting.

These various elements give the Council a clear picture of the situation in Kosovo two months after the Council's mission.

I would also like to say, by way of preliminary comment, that the presidency of the European Union will be making a statement later on, and I fully associate myself with that statement.

I shall therefore confine myself to three points.

First, we are concerned by the unilateral statements and initiatives undertaken by some in Kosovo and in the region concerning the future of Kosovo. Those statements and initiatives could destabilize the existing situation not only in Kosovo but also throughout the Balkans. In particular, we deplore the efforts being made by some members of the Kosovo Assembly to adopt a declaration concerning the future status of the province, in contravention of resolution 1244 (1999).

Secondly, these developments — which are definitely not a sign of the responsible attitude that the international community expects — merely strengthen our commitment to applying the standards. Meeting those standards is a prerequisite for the question of the final status to be addressed validly, pursuant to resolution 1244 (1999).

In this regard, we thank the Special Representative of the Secretary-General for the clear presentation he has just made concerning arrangements for implementation of those norms. We support in particular the efforts to be made in the area of the rule of law, which goes hand in hand with democracy.

Thirdly and lastly, we wish to voice our support for the activities of the Special Representative of the Secretary-General. We support the priorities that he has set: the combat against crime; economic recovery; and the building of a multi-ethnic society.

In this respect, we underscore the importance of continued endeavours to bring about the orderly return of refugees and displaced persons. We unreservedly support the development of dialogue with the Belgrade authorities on the basis of the principle of cooperation but no interference, and the call for direct consultation between Pristina and Belgrade on practical issues of mutual interest.

Allow me to conclude by calling on all elected members of the autonomous institutions to pool their efforts to build a modern, multi-ethnic and democratic Kosovo, in accordance with UNMIK's criteria and keeping in mind the interests of all the people of Kosovo.

This is the approach that needs to prevail, rather than getting lost in untimely and pointless initiatives which can only isolate the people of Kosovo from the rest of the region and from the European continent, and possibly lose the support of the international community.

Mr. Thomson (United Kingdom): Like my French colleague, I welcome the fact that the Secretary-General was able to be here at the start of this meeting, and I thank him for his report. I am grateful to Michael Steiner for a clear and useful presentation, and I, too, associate my delegation with the statement of the European Union, to be made by our Greek colleague later this morning.

I would also like to say a word of thanks to Norway, and especially to Ambassador Kolby, for the role that they played last year, including on the Council mission to the region.

We reiterate our support for the priorities set out by Michael Steiner, most recently in his television address to Kosovo on 20 January, especially his reiteration of the principle of standards before status, and the need for all parties in Kosovo to work more seriously.

The United Nations Interim Administration Mission in Kosovo (UNMIK), and Michael Steiner leading it, have achieved a good deal over the past three months: UNMIK authority established across the whole of Kosovo; the number of minority judges increased; steps taken by the Kosovo Police Service to assume responsibility for some law-and-order activities; an improved feeling of security on the streets; and easier access across the bridges in Mitrovica. But we have to recognize that we are still a long way from the Security Council's goal of a multi-ethnic Kosovo which could take its place in Europe, along with the rest of the Balkans.

To give just a few examples: the recent cycle of violence — including successful and attempted assassinations and attacks on Orthodox churches — seems to indicate that local extremists feel that they can act with impunity. They cannot and must not. Local leaders need to condemn all such acts of violence and to support the efforts of UNMIK police and the Kosovo Police Service in their efforts to clamp down on this selfish extremism, which hinders Kosovo's development and affects the normal lives of the normal people in Kosovo. We also urge UNMIK and KFOR to tackle this extremism at its roots.

Secondly, the Provisional Institutions of Self-Government at all levels must also cooperate with the International Criminal Tribunal for the Former Yugoslavia and UNMIK if and when any indictments are presented. Compliance is an international commitment, and it will be important for Kosovo to show its political maturity and be seen to be acting within common European Union values.

Thirdly, there is a further way to go on the establishment of a multi-ethnic civil service. Nearly 60 per cent of senior civil-servant posts remained unfilled at the end of 2002. And there is a continuing, substantial task to achieve returns. The Council's mission showed that hard work by all concerned will be needed if returns are to increase in 2003.

My delegation welcomes UNMIK's intention — and Michael Steiner has just confirmed it for us this morning — to transfer further competencies to the Provisional Institutions of Self-Government. We encourage UNMIK to press on with this. But with power comes responsibility. All parties need to work within "standards before status". All parties need to show that they are working towards European standards. Delivering those standards will help to deliver the three priorities that Mr. Steiner has rightly pointed to. All parties need to show that they can carry out their commitments within the existing Constitutional Framework before status negotiations are possible. Prejudging final status, either by declarations in Pristina or Belgrade or by the transformation of the Kosovo Protection Corps into an army, is unacceptable. Kosovo needs to show that it is serious about actually running itself and about integrating minority communities into Government. At the same time, those minorities must demonstrate that they are committed to Kosovo's future.

There can be no progress towards final status without dialogue between the Provisional Institutions of Self-Government and the Government in Belgrade. Initial dialogue should focus on practical issues that directly affect the daily lives of the citizens of Kosovo and of those internally displaced persons who remain outside Kosovo. A key issue will be the rule of law and fighting organized crime, as highlighted in the 25 November 2002 London conference on this subject. Such a dialogue, in a positive, cooperative framework,

will help to create a climate of mutual confidence for looking eventually at wider questions of Kosovo's future.

Mr. Tafrov (Bulgaria) (*spoke in French*): I would first like to thank you, Sir, for convening this meeting of the Council on Kosovo. I also thank Michael Steiner for his briefing, which was very detailed and specific, as usual. It painted an uncompromising picture of the situation in Kosovo, though without any unnecessary pessimism. I also express our thanks for the presence of the Secretary-General at the start of the meeting.

This meeting comes two months after the Council's mission to Kosovo. I think that all those who participated in it were able to see what a good idea that mission was. I would especially like to thank Ambassador Peter Kolby of Norway for his leadership of the mission.

Bulgaria, an associated country of the European Union, fully supports the statement that will be made shortly by the representative of Greece on behalf of the European Union. I shall therefore limit myself to a few brief comments in my national capacity.

Bulgaria is convinced that the excellent work done by the United Nations Interim Administration Mission in Kosovo (UNMIK) and by Mr. Steiner must continue and that the transfer of responsibilities to the Provisional Institutions of Self-Government must continue exactly in the manner just described by Mr. Steiner. The Constitutional Framework is our basic reference point; it contains the benchmarks ensuring the necessary dynamic for this process. For the transfer process to be a success, the Kosovar institutions must continue to expand their administrative and management capacities while ensuring equitable participation by the various ethnic groups. The set of rules of procedure governing the functioning of the administration is indispensable.

Speakers who preceded me spoke of certain acts and of certain ideas, as well as of certain political officials — including representatives of the Kosovo Assembly and the Kosovar Government, but also others elsewhere — who have exceeded their mandates as established by the Constitutional Framework and who have assumed powers falling within the competence of the Special Representative. Those attempts are a source of concern for Bulgaria. We continue to believe that the policy established by the United Nations — "standards before status" and based on the benchmarks — is fundamental to a sustainable resolution of the problem of Kosovo. Like previous speakers, we consider that all those attempts could destabilize Kosovo and prevent the international community from achieving a solution to the problem within the framework of resolution 1244 (1999).

Bulgaria is also concerned by recent acts of violence, including those perpetrated against Orthodox churches, to which Ambassador Thomson referred a moment ago. These acts of violence must cease. They are likely to discourage the Serb community from integrating into the life of Kosovo.

The idea of Serb military representatives and police returning to Kosovo will not likely contribute, in our view, to stabilizing the situation and could have consequences that are hard to predict. Bulgaria believes that the authorities of both Belgrade and Pristina must refrain from hasty political actions that could only aggravate the situation and destabilize Kosovo.

Bulgaria welcomes the establishment of the UNMIK administration in northern Mitrovica. That is a positive sign that may improve life in that city and in the entire region.

The dialogue between the authorities of Pristina and those of Belgrade must be strengthened; Mr. Steiner spoke of this. They must focus on practical issues that can improve the daily life of Kosovars and can thus create the climate for a lasting solution to the problem. We also welcome the results achieved in dialogue between the Belgrade authorities and UNMIK.

Bulgaria wholeheartedly supports the efforts of the Special Representative to combat organized crime and trafficking in human beings and to assist Kosovo in relaunching its economy. As Mr. Steiner said a short while ago, what is of interest to Kosovars is the improvement of their daily life. That is where the international community is needed, and that is where the success or failure of the efforts of the Security Council and of the international community will be able to be measured. In that connection, my country believes that Kosovo has not yet reached a level of economic and social development, nor political development, that would enable it to address the problem of definitive status within an immediate time frame. In that context, the presence of UNMIK and KFOR in Kosovo continues to be a key factor for stability and a guarantee of peace and stability.

Bulgaria will continue to participate in the peacekeeping operations in Kosovo and to work within the regional framework so that this problem can be addressed with the utmost care. In 2003, even more attention should be focused on dealing with problems related to the shadow economy, organized crime and corruption.

I should also mention the importance that my country attaches to the regional aspects of the Kosovar question, which is of paramount importance for the countries of the region. Bulgaria would like to reaffirm its position that the implementation of regional infrastructure projects — in particular in the fields of telecommunications and transportation — is the genuine answer, not only to the problems of Kosovo but also to those of the entire region.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): At the outset, I wish to thank the Secretary-General for the report on the United Nations Interim Administration Mission in Kosovo (UNMIK) and, of course, most especially to thank the Special Representative of the Secretary-General, Mr. Michael Steiner, for his presence here and for his very timely and precise briefing on the situation on the ground.

I wish to relate my comments chiefly to the report of the Secretary-General (S/2003/113), and to do so using the Security Council mission to Kosovo and Belgrade last December as a viewpoint. In that respect, I associate myself with other delegations in thanking Ambassador Kolby of Norway, then a Council member, for organizing and heading that mission very successfully.

My delegation notes with great satisfaction the objectives that Mr. Steiner has outlined as central elements of his effort and of his task in Kosovo: job creation, the establishment of full security conditions and, of course, the forging of a multi-ethnic society.

In that regard, and with respect to the tasks carried out by the United Nations in Kosovo, there have undoubtedly been advances that we cannot overlook, advances in the implementation of resolution 1244 (1999). Noteworthy among those are the electoral processes of November 2001 and of October 2002, as well as the establishment of the Provisional Institutions of Self-Government and of the new Municipal Assemblies, all of which constitute exercises in democracy and form the basis of a new political maturity in that society, which has experienced such intense violence.

The process of transfer of responsibility to local institutions is an encouraging element of development, as is the expansion of UNMIK's authority to northern Mitrovica and the appointment of judges and prosecutors belonging to minority groups as part of Kosovo's judicial system. These latter developments have resulted from dialogue with the authorities of Yugoslavia, now Serbia and Montenegro.

The rule of law is a fundamental component for attaining stability, security and economic development in Kosovo. That is why my delegation welcomes the achievements in that sphere, such as last year's reduction in crime rates and the measures adopted by the Kosovo Police Service and the judicial system to make themselves multi-ethnic institutions with trained personnel.

However, we are deeply concerned at the violent incidents that have recently occurred within the Albanian-Kosovar community, apparently for political reasons, and, of course, at the aggression directed against minority communities — particularly the Serb minority — which are serious obstacles to the establishment of the rule of law. In this respect, we believe that the messages rejecting political crime, issued by Kosovar leaders, and the popular demonstrations in that regard are positive factors towards creating this new attitude and a new society. We urge those leaders to repudiate violence against minorities with the same vigour.

The sustainable return of refugees and displaced persons, minorities in particular, to their communities of origin is a fundamental precondition for achieving inter-community reconciliation, as is resolving the question of the fate of the missing persons. In this regard, we see with particular concern that minorities continue to face grave threats to their safety and security and that this situation, along with the consequent lack of freedom of movement, restricts their access to social services and economic opportunity, as quite rightly pointed out in the position paper published by the Office of the United Nations High Commissioner for Refugees in January.

The maintenance or creation of parallel structures does not contribute to reconciliation; indeed, it militates against it, as do the initiatives designed to hasten the definition of Kosovo's status. The active

participation of representatives of minorities at all levels of public administration is among the objectives of the concept of standards before status. While it is important for minorities to benefit from the scope for political and public participation provided by UNMIK, and while it is the responsibility of their representatives to promote such participation, it is also true that, so long as a climate of security and tolerance does not exist, such participation will continue to be limited. It is the responsibility of the Albanian majority and its leaders to create such conditions. That is our view, shared by the Council's mission during its visit to Kosovo.

As far as cooperation between Belgrade and Pristina is concerned, my delegation supports the Secretary-General's appeal to the leaders of the Provisional Institutions of Self-Government in Kosovo to agree to embark on direct dialogue with Belgrade, as well as his request to the federal and Serbian authorities to do their utmost to promote such dialogue.

Along with other delegations, mine supports the concept of standards before status, since we believe that it is the only way for Kosovo to become a democratic and multi-ethnic society. It is important, however, for Kosovar society and its political leaders fully to embrace that concept and its parameters as their own and not as a process imposed from outside.

The United Nations is in Kosovo with the mission of achieving the vision of multi-ethnicity. Many obstacles to achieving that purpose and vision arise on a daily basis. The United Nations must pursue its work in Kosovo with this prospect in mind. The international community must help Kosovar society to live in peace as a multi-ethnic society. That, in the final analysis, is the aspiration of Kosovars and the aim of the international community.

Mr. Valdés (Chile) (*spoke in Spanish*): Allow me first of all to congratulate you, Sir, on convening this open debate of the Security Council on the situation in Kosovo. In the face of the great challenges ahead in 2003 and one year after the start of the gradual transfer of executive and legislative authority to the Kosovars, it seems highly appropriate that the Members of the United Nations should be able to express their views on the progress of the largest peace-building undertaking in the history of the United Nations.

We are also grateful for the briefing given by Mr. Michael Steiner, the Special Representative of the Secretary-General for Kosovo, whose efforts we fully appreciate. We also note with satisfaction the outcome of the Security Council mission to Kosovo and Belgrade that took place late last year.

As this is the first time that Chile is speaking on this item in the Council, we wish to express our support for the work of and results achieved by the United Nations Interim Administration Mission in Kosovo (UNMIK), in which our country is honoured to participate. We commend the personnel of UNMIK for their efforts in fulfilling their mandate to equip Kosovo, Serbia and Montenegro, with an interim administration under which its people can enjoy substantial self-government.

That is why we regard resolution 1244 (1999) as a valid basis and instrument for achieving the three-fold objective of its mandate: to administer Kosovo, to create institutions and, lastly, to facilitate a political process for determining the final status of Kosovo. With regard to the latter, we, like preceding speakers, endorse the standards before status approach and the eight standards elaborated by Mr. Michael Steiner, Special Representative of the Secretary-General.

With respect to the report of the Secretary-General, we recognize the significant progress made in 2002, inter alia, in the transfer of executive and legislative authority to the Provisional Institutions of Self-Government of Kosovo; the establishment of municipal Governments; the administration of justice, particularly the appointment of judges and prosecutors from minority communities; the establishment of a multi-ethnic civil service; and the extension of UNMIK to Mitrovica. Special mention should be made of the recent return of Kosovo Serb representatives to the Kosovo Assembly. That is a good sign.

However, we remain concerned about the situation of internally displaced persons and refugees. We hope that favourable conditions will continue to be created for their return in significant in numbers and in a sustainable manner with a view to the creation of a multi-ethnic and democratic society capable of reintegrating all the people of Kosovo, without exclusion.

We also note with alarm the incidents of violence, both among Kosovo Albanians and towards Kosovo Serbs. Every effort should be made to prevent an increase in arson, grievous assault and organized crime.

The actions of extremists and terrorists must be unanimously condemned.

We agree with the three challenges outlined by Mr. Michael Steiner on 20 January. It is essential, first, to strengthen the economy, particularly in the area of unemployment; to combat organized crime; and, lastly, to build a multi-ethnic society. We call upon the Government of Kosovo to cooperate with UNMIK in meeting these challenges.

With respect to the fight against organized crime, no progress in that regard is possible without the commitment of all actors to ensuring that the rule of law prevails and to improving the administration of justice for all, particularly for displaced persons and refugees. Moreover, respect for the rule of law and a strengthened judicial system are the best guarantee for preventing violations of human rights in Kosovo. In this context, it is vital for the parties fully to cooperate with the International Criminal Tribunal for the Former Yugoslavia.

With regard to the institutional aspect, we are aware that 2003 has ushered in a new phase whose main challenge will be to demonstrate the effectiveness of the Provisional Institutions of Self-Government, created to ensure the effective transfer of authority. A decisive test will be the way in which Kosovo civil servants discharge their functions when the number of international civil servants present today in Kosovo has been reduced by half.

In conclusion, we call upon the parties to intensify the constructive dialogue between Belgrade and Pristina with a view to achieving real, tangible results aimed at overcoming the serious challenges to which I have referred and, above all, at ensuring that all the inhabitants of Kosovo can live in their homeland with dignity and free from danger.

Mr. Gaspar Martins (Angola): I would like to start by welcoming the presence, at the beginning of the meeting, of the Secretary-General. I know that he had to leave to attend to other business. I welcome in particular the presence of Mr. Michael Steiner, the Special Representative, and the report that he introduced this morning (S/2003/113).

We welcome the recent developments, as presented in the report before us this morning, and we note that the situation has improved considerably since the adoption of resolution 1244 (1999), which created the United Nations Interim Administration Mission in Kosovo. The implementation of the resolution has been satisfactory, judging from the report before us this morning.

It is very important for a political settlement to be reached, and we think that the proposals contained in the relevant resolutions and the efforts of the international community, including, in particular, the recent Security Council mission to the region, are very encouraging. My delegation believes that the international community has a very important role to play in this process. But the primary responsibility for resolving the conflict lies with the parties.

The process of negotiation aimed at a lasting political settlement that is acceptable to all parties will require concessions, and we therefore encourage the parties to spare no effort to reduce the mistrust and to reach out to each other. We also encourage continued dialogue between the authorities in Belgrade and in Pristina; that is important for bringing about the consolidation of a more stable situation in the Balkans.

My delegation urges the parties to abide by the principle of "standards before status" and other recommendations in order to improve security in the region and in the country. We also welcome the three priorities for 2003 which were presented by Mr. Michael Steiner this morning. We feel that progress in that area will bring closer the successful conclusion of the Mission — one of our Organization's most effective missions.

Mr. Zhang Yishan (China) (*spoke in Chinese*): The Chinese delegation would like to thank the Secretary-General for his detailed report (S/2003/113). We also welcome the presence of Mr. Steiner at our meeting today, and we thank him for his statement.

At the end of last year, the Security Council mission, led by Ambassador Kolby of Norway, made a successful visit to Belgrade and Kosovo. We express our appreciation to Mr. Steiner, as well as to a number of other parties, for their efforts, which made the Security Council mission a success. The visit was very helpful in enabling the Security Council to make a comprehensive and objective assessment of the situation in Kosovo.

It should be recognized that a great deal of progress has been made in many fields in Kosovo. Municipal elections were carried out successfully, and

Provisional Institutions and municipal structures at various levels are functioning smoothly. We believe that that is the result of the joint efforts of various parties in Kosovo and the United Nations Interim Administration Mission in Kosovo (UNMIK), and we express our appreciation for those efforts.

At the same time, as Mr. Steiner pointed out, the international community and the various parties still have a great deal of work to do before a number of benchmarks can be met in the establishment of a harmonious and multi-ethnic society in Kosovo. We hope that the local leadership of Kosovo will effectively carry out its responsibilities and fully respect the mandate of UNMIK, establishing a stable regime and cooperating with UNMIK and the Government of Serbia and Montenegro so as to jointly promote the establishment of the rule of law, facilitate the process of refugee return, guarantee the interests of minorities — especially their safety, security and freedom of movement — effectively crack down on organized crime and bring about economic development and national integration.

The Chinese delegation is particularly disturbed about recent comments regarding independence for Kosovo. We believe that resolution 1244 (1999) remains the basis for the final status of Kosovo. Any attempt to redefine the borders will seriously damage the security and stability of the region. We support UNMIK's strict and fair implementation of its mandate. We call upon the parties concerned to continue their cooperation with UNMIK in implementing the provisions of resolution 1244 (1999) in a comprehensive and thorough manner with a view to ensuring the long-term stability and security of Kosovo and the of region as a whole.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): My delegation would like to begin by thanking you, Mr. President, for having convened this meeting on the situation in Kosovo. My delegation would also like wholeheartedly to thank Mr. Steiner, the Special Representative of the Secretary-General for Kosovo, for his complete and detailed briefing on recent developments there. We thank him in particular for his accurate summary of the situation in the province as presented in the six-page handout that has been distributed to us. We agree with his analysis of the situation and his emphasis on the need for social integration in Kosovo with a view to enabling the people there to move towards a future in which they can all actively and positively contribute to building the province.

My delegation would once again like to thank the Norwegian delegation, and Mr. Kolby in particular, for the efforts made last year, including during the Security Council mission to Kosovo.

My delegation would like also to welcome the report of the Secretary-General (S/2003/113) submitted pursuant to Security Council resolution 1244 (1999). My delegation commends the efforts made by the United Nations Interim Administration Mission in Kosovo (UNMIK) to change the political dynamics in that country, to provide incentives to eliminate parallel structures and to encourage all communities to participate in common institutions.

The report of the Secretary-General notes the emergence of Kosovo's two Provisional Institutions of Self-Government: the Assembly and the Government. Ongoing efforts to establish a multi-ethnic civil service continue to be of importance, despite the emergence of obstacles pertaining to the limited number of minority candidates, security concerns and tension among various ethnic minorities. Like previous speakers, we are concerned about information regarding continuing attacks against religious sites. We call for a halt to all such acts, which are unacceptable regardless of the religious values, teachings or criteria involved.

My delegation would like to emphasize the importance of the principle outlined by Mr. Steiner, namely, "standards before status". That principle is at present of great importance in order to guarantee participation by all communities in the political life of Kosovo and to overcome ongoing ethnic differences prior to discussing Kosovo's future status. That message, which was in fact confirmed by the Security Council's mission to Kosovo last December, was one that we have stressed repeatedly to all the parties concerned.

My delegation welcomes the extension of UNMIK's authority throughout Kosovo. Last November, the Mission extended its presence to the northern part or Mitrovica, thanks to the agreement reached between the Mission and the then Federal Republic of Yugoslavia.

My delegation would like to stress the need to work within a regional context in order to reach a solution to the question of Kosovo. Nevertheless, we

encourage dialogue between Belgrade and UNMIK. We call for the strengthening of that dialogue, which in the past produced positive results that cannot be ignored.

We would also like to stress that there is still an urgent need for UNMIK's work to continue. There is also a need to enhance the Mission's role, so that it may lead Kosovo and its people to peace.

The positive political developments in Kosovo — including the debate on decentralization, the strengthening of the rule of law, the building of a well-functioning and sustainable police force and fighting organized and cross-border crimes — can all lead to greater stability in Kosovo and will ultimately pave the way for a favourable economic environment that will encourage investment and economic and financial growth. That will in turn positively affect the return of displaced persons and refugees to their homes and property, thereby making it possible for them to contribute to building the future of Kosovo.

In conclusion, my delegation hails the efforts of Mr. Steiner and UNMIK to bring about peace and stability in the province. Building the Kosovo of the future will be impossible unless the memories, pain and suffering of the past are set aside and we focus on a future that includes the integration of all Kosovars regardless of their ethnic and religious background. It is through that integration that the people of Kosovo will guarantee peace and progress for future generations.

Mr. Akram (Pakistan): Allow me to begin by thanking Mr. Michael Steiner, the Secretary-General's Special Representative for Kosovo, for his briefing.

Pakistan attaches great importance to the work of the United Nations Interim Administration Mission in Kosovo (UNMIK). We support UNMIK's five pillars, as well as the eight standards that serve as the yardstick for measuring Kosovo's progress in self-governance. We believe that those standards will help in the implementation of the provisions of Security Council resolution 1244 (1999). They will also enable all the people of Kosovo to realize their fundamental rights in an environment of freedom, peace and the prospect of prosperity.

Given Kosovo's unique situation, we support Mr. Steiner's "standards before status" approach. This is, of course, a unique approach. We urge the people of Kosovo to work, with the assistance of the United Nations, to make those standards a reality on the ground. They should take ownership of all aspects of their own administration. Once that is done, we should — and I hope we will — move to the next phase of the implementation of resolution 1244 (1999), which, under paragraph 11 (e) of the resolution, is the process designed to determine Kosovo's final status. We hope that this process, when it takes place, will be based on consultations with all concerned, particularly the people of Kosovo, and that it will ensure their fundamental rights, consistent with the Charter of the United Nations.

Pakistan would like to add its voice in support of the direct dialogue between Pristina and Belgrade on administrative and practical issues, which has helped, in some measure, to improve cooperation and reduce tension in the region. We hope that similar progress can be made within Kosovo as well.

We share the concern expressed by the Secretary-General in an earlier report, that "Security remains a paramount concern" (*S/2002/62, para. 43*). We support calls, including by the Secretary-General, for the communities in Kosovo to reject violence and extremism and to move to genuine dialogue and reconciliation. The rule of law is central to progress being made towards reconciliation and, indeed, towards the path of self-governance. As Lord Ashdown recently said about post-conflict situations, "Only if you establish the rule of law can you have decent democratic practices" (*S/PV.4631, p. 27*).

Pakistan supports inter-ethnic conciliation and cooperation and the creation and maintenance of institutions consistent with resolution 1244 (1999). We call for the return, in dignity and safety, of all refugees and internally displaced persons, and for the protection of all minorities and their rights in each region of Kosovo.

In spite of the obstacles, we appreciate the progress that has been made by the United Nations, especially the efforts being made by Mr. Steiner and UNMIK to improve conditions in Kosovo. We acknowledge their efforts to promote peace in Kosovo based on multi-ethnic accommodation and the rule of law. We hope to see a Kosovo at peace with itself and all adjacent nations. We hope that Kosovo can emerge as a beacon of hope for peace in the entire region, a region that has seen so much despair during the last decade.

Mr. Williamson (United States of America): The United States thanks Special Representative Steiner for briefing us today, and we welcome the latest report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2003/113). Also, I would like to thank Mr. Steiner for inviting the Security Council last fall to send a mission to Kosovo in December and for the good work of Mr. Steiner and his UNMIK colleagues in developing a programme for the Council that proved to be very informative and useful.

The United States continues to be committed to UNMIK. We thank UNMIK for its good work. However, the United States has some concerns, including reports of parallel institutions. Such parallel institutions will be an impediment, not a benefit, to the future of Kosovo. Parallel institutions will be a roadblock to reconciliation.

We share with others in the Security Council a vision of an integrated multi-ethnic society in Kosovo where quality education is available to all, where people of all ethnicities are safe and have confidence in a fair, professional judicial system, where the economy is growing and creating jobs and opportunity and where the people are empowered to run their own affairs.

We wish to call the attention of the Security Council to certain elements of the Secretary-General's report that we believe are of particular importance, and also to express our views on the current situation in Kosovo.

The United States agrees that the Provisional Institutions of Self-Government must do much more to use authority already transferred under the Constitutional Framework. The authorities are significant, and the international community needs to continue to stress the importance of this. We believe that the Provisional Institutions of Self-Government should resist the domestic political pressures that cause them to blame UNMIK for their own inability to use their new authorities effectively.

The United States also is concerned with infighting among the Albanian parties. This is a growing problem, and it has a negative impact on the prospects for passage of critically needed legislation, on the economy, and elsewhere. The Security Council should make clear to all parties that they need to work together.

Regarding UNMIK's transfer of authority in Kosovo, when Mr. Steiner was appointed Special Representative of the Secretary-General, he put forward a plan outlining eight goals or standards and a series of benchmarks to gauge progress towards meeting these standards. The United States Government joined the international community in stressing "standards before status", asking the Kosovars to focus their energies on achieving the Special Representative's benchmarks for sustainable democratic self-government rather than on discussions of final political states. Standards include the establishment of functioning democratic institutions, rule of law, and returns and reintegration of minorities and others who have been displaced.

Because we believe that these standards, if implemented, would establish a sound foundation for a functioning multi-ethnic Kosovo, we continue to encourage Special Representative Steiner to develop a detailed work plan to guide the Provisional Institutions of Self-Government through the benchmarks process. We are concerned by the Secretary-General's report that some Kosovo Albanian cabinet members have publicly distanced themselves from the benchmarks.

The United States believes that UNMIK has been too reluctant to transfer authorities not reserved for the Special Representative of the Secretary-General under Security Council resolution 1244 (1999) and the Constitutional Framework. For example, the United States expended a great deal of energy and political capital in order to persuade UNMIK to agree in December to fold UNMIK's central fiscal authority into the Provisional Institutions of Self-Government Ministry of Finance and Economy. Unfortunately, individual UNMIK advisers at the Provisional Institutions of Self-Government at municipal levels appear to have been unwilling to cede real decision-making authority in this area.

The United States welcomed Mr. Steiner's 20 January television address in which he articulated his desire, as reflected in the upcoming presidential statement, to hand over all competencies he legally can to the Provisional Institutions by the end of this year on the condition that they are prepared to work seriously. We commend Mr. Steiner's intention to develop a joint plan with Prime Minister Rexhepi to work out how this can be accomplished smoothly and effectively. Our understanding is that UNMIK will turn over a specific number of powers on a monthly basis through the end

of the year. Such a transfer is extremely important. The elected leaders in Kosovo must accept responsibility for implementing the reforms necessary for a multi-ethnic society to flourish.

We invite Mr. Steiner to clarify whether this understanding is correct. Where are we on developing and implementing an operational plan for standards? Should financial aid be tied to conditionalities such as performance on areas of education and health?

We believe that it is important for UNMIK to work well with the Provisional Institutions, just as it is for those Institutions to cooperate fully with UNMIK. The United States continues to fully support "standards before status", and we look forward to the Special Representative's detailed worked plan for implementing the related benchmarks for the standards. This plan represents a major step forward in further defining for the Provisional Institutions more completely what it is they need to accomplish in the exercise of their authority to create a multi-ethnic civil society with a functioning economy.

We continue to find unhelpful all efforts to push forward on final status. We have supported talks between Belgrade and Pristina on technical issues. Therefore, we welcome Special Representative Steiner's ideas for more talks on technical issues between Belgrade and Pristina. In fact, this has already happened on environmental issues related to contamination of the Ibar River. We support further efforts in this regard, as long as UNMIK is careful to manage the process carefully.

We believe that it is premature for Belgrade to return any military or paramilitary presence to Kosovo. The inter-ethnic situation continues to be very tense, and such a development would be provocative and unhelpful. We understand that the command of KFOR is reviewing ways to enhance its efforts to provide security at monasteries and other Serb cultural sites in the north of Kosovo. We also have taken note of the letter from Deputy Prime Minister Jovic. We believe his claims reflect a certain frustration with the difficult challenge of making progress in Mitrovica. UNMIK is moving forward appropriately on this front, and we look forward to more details on the decentralization plan being worked out with the assistance of the Council of Europe.

In the meantime, we urge Belgrade to play a constructive role and comply with its own obligations. More needs to be done to recognize UNMIK licence plates and other documents as a way of helping Serbs reintegrate in Kosovo.

The United States is concerned by reports of rising acts of violence in Kosovo. We are especially concerned about the cases of violence against minority communities. There can be no environment of impunity in Kosovo. We are concerned about reports of renewed tension among the Kosovo Albanian coalition partners. We are especially concerned also by the Secretary-General's report that the Assembly continued to show reluctance to accommodate minority community demands.

While the Kosovo economy has improved, it is still quite anaemic and needs help. There are too few opportunities for the people of Kosovo.

In Kosovo, therefore, there is a great deal of work ahead. At the same time, with the successful elections, including at the municipal level; with a growing, well-trained professional police force; and with improved freedom of movement and progress elsewhere, there is cause for appreciation for the contribution that Special Representative Steiner and UNMIK are making in Kosovo.

As I said at the outset of my intervention, the United States thanks Special Representative Steiner and UNMIK for their good work and reiterates our strong support for UNMIK in its mission.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): We would like to express our gratitude to the Secretary-General for his report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) in Kosovo and also to the head of the Mission, Mr. Steiner, for his substantive briefing on the situation in the region.

The assessments and analyses contained therein, in addition to the observations and conclusions of the most recent Security Council mission to Kosovo and Belgrade, provide a good basis for a comprehensive consideration of the situation in the region and around it and allow us to summarize the first year of Mr. Steiner's activities as Special Representative of the Secretary-General for Kosovo.

We agree that today we can note with satisfaction progress in the implementation of Security Council resolution 1244 (1999) and the normalization of life in Kosovo, which have been advanced by, inter alia, the

efforts of the Special Representative of the Secretary-General, Mr. Steiner, and by his putting forward the concept of "standards before status".

In the region, the Provisional Institutions of Self-Government have begun their work and have begun the transfer to them of some of the competencies of the Special Representative. The second round of municipal elections has taken place. Gradually the new Kosovo police forces are coming into their own. Progress has been noted in the resolution of economic and social issues and in the establishment of dialogue with the leadership of the Serbian Return Coalition and the Government in Belgrade; a clear result of this was a solution to the problem of northern Mitrovica.

We note in this context that the situation in the region remains extremely sensitive. It is important that the international presences there act with the utmost sense of responsibility, avoiding incautious actions that could hamper progress towards the goals set.

We welcome the readiness of the Belgrade leadership to continue constructive cooperation with the United Nations Interim Administration Mission in Kosovo and also with Pristina.

This is key to a solution to many of the problems that are hindering the full implementation of resolution 1244 (1999). All of these problems are well known and will continue to require unflagging attention on the part of the international community. These include the absence of conditions ensuring equal security and freedom of movement for all of the inhabitants of Kosovo, first and foremost of the Serbian minority, and the continuing wave of violence against the Serbs who have remained in the region.

A highly disquieting new factor is the outburst of violence — clearly politically motivated, moreover — within the Kosovo Albanian community as well.

The optimistic figures as to the numbers of minority refugees who have returned, which have exceeded the outflow indicators, do not, in our view, fully reflect the real state of affairs, since, in a number of regions of Kosovo where the Serbs were living at the time of the deployment of the United Nations Mission in Kosovo and KFOR, today practically none of them are left.

Also a source of serious concern today is the continuation of the Kosovo Protection Corps as a paramilitary organization — an heir to the KLA. Moreover, we fail to understand the position of the international presences, which have virtually reconciled themselves to the Corps's status. As a result, the Corps retains many characteristics of a paramilitary structure, including personal side-arm weapons for the commanding officers, the rank of generals and so on. In addition, the number of Corps personnel has not been reduced. The maintenance of the Kosovo Protection Corps in such a form is a potential source of destabilization in the region and could trigger a new wave of inter-ethnic violence.

Particularly disquieting for us are the unceasing attempts of the leaders of the Kosovo Albanians to harp on the subject of independence. Very recently they once again issued a challenge to the international community, putting forward in the regional Assembly a draft declaration on the independence of Kosovo, which contravenes both resolution 1244 (1999) and the Constitutional Framework on Provisional Self-Government in the region.

Some leaders of the Kosovo Albanians have even made statements to the effect that the international presences allegedly are abusing the hospitality rendered them, and are speaking in favour of their withdrawal. Demands are also being made, despite resolution 1244 (1999), for the speeding up of the transfer of all competencies of the Special Representative of the Secretary-General to the Provisional Institutions of Self-Government. This is taking place in conditions where, as indicated in the report of the Secretary-General, the Kosovo Albanian majority continues to shirk its responsibility for the development of the situation in the region. This above all affects the creation of dignified living conditions in the region for all of its inhabitants, regardless of their ethnic background. It is clear they are not doing enough to involve ethnic minorities in the activities of regional bodies of self-government at all levels.

We continue to see that, despite statements regarding dedication to multi-ethnicity, the regional institutions of self-government in fact very often ignore the interests of the minorities. We believe that UNMIK and its head, Mr. Steiner, regarding this issue, will continue to take a consistent position to prevent attempts by Albanian extremists to make use of the Provisional Institutions of Self-Government to achieve their political goals and the transformation of Kosovo into an independent, quasi-State entity.

We are also convinced that the United Nations Mission must continue actively to work to affirm legality in the region, as is required by resolution 1244 (1999). Attempts by the Kosovo institutions of self-government to cast doubt on the actions of UNMIK are inadmissible.

The Security Council must clearly reaffirm the unfailing dedication of the international community to the strict implementation of resolution 1244 (1999), including that part which deals with the reaffirmation of the sovereignty and territorial integrity of the new State of Serbia and Montenegro, as a successor to the Federal Republic of Yugoslavia.

We also believe that there is a need to create a favourable dynamic in the development of the situation in the Balkans. Here we include constructive dialogue with Serbia and Montenegro, gradual movement towards a settlement in Macedonia, the further normalization of relations between Belgrade and Zagreb and other processes. Viewed on a broader level, we believe that all of this confirms the relevance of the Russian initiative to establish a legal basis for stability in the Balkans through the conclusion by the countries of the region of legally binding agreements on mutual respect for sovereignty and territorial integrity and on the inviolability of borders, all with appropriate international guarantees. The implementation of such an approach would favour the achievement of a comprehensive settlement in Kosovo in accordance with resolution 1244 (1999).

Mr. Tidjani (Cameroon) (*spoke in French*): My delegation thanks the Secretary-General for his highly detailed report (S/2003/113) on the situation in Kosovo. We also welcome the presence among us of the Special Representative of the Secretary-General, Mr. Steiner, whose determination and professionalism on the ground inspire our admiration.

The management of the issue of Kosovo by the international community in general and by the United Nations in particular continues to create hope and expectations that the region will be rid of its old demons of war, violence and hatred so that peace, security, stability, tolerance and reconciliation can finally prevail. In our view, those are the only elements that can engender a climate of trust between the parties and that can restore the conditions for a better life and for socio-economic growth beneficial to all. Those elements also create expectations of full cooperation by the parties concerned in the implementation of measures formulated to achieve our shared goals.

From 13 to 17 December 2002, the Security Council visited Kosovo. Following that mission, there has been reason to ask whether our hopes and expectations, which I have just mentioned, were unrealistic. It is true that the action of the international community in this area has succeeded in preventing the worst. The deterrent operational presence of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR have established a certain degree of peace and security, which are indispensable for any political, social and humanitarian action in Kosovo.

Having made it possible to prevent a humanitarian tragedy, the highly commendable action of UNMIK has, on a daily basis, patiently been laying the foundations of a modern society and State of the rule of law in which peace, security and social harmony prevail. But the socio-political situation in Kosovo today is characterized by hatred, the rejection of the other, violence — even if latent — and the instinct for domination.

The picture presented of the situation in Kosovo reflects what my delegation saw during the Council's mission, and I am moved to make a few comments. The Security Council and the international community should focus their action not on the medium term but on the long term. They should also review their overall strategy and modalities aimed at achieving our objectives in order to give fresh impetus to our very approach to the question of Kosovo. That impetus requires a new vision leading the United Nations to be even more mindful of the people of Kosovo of all socio-political backgrounds and to further assimilate the complex socio-political realities of Kosovo.

In that regard, I welcome Mr. Steiner's comment in his briefing. He asked: what do the people of Kosovo want? He himself offered appropriate answers. We wish to support him with respect to the priorities he has set for 2003.

Secondly, we need to be mindful of the people of Kosovo, to offer concrete support for social and humanitarian action on the ground and, above all, to commit ourselves now to deep and unhurried reflection on the final status of Kosovo. The success or failure of the United Nations presence in Kosovo depends on the way in which the outcome of that reflection is shaped and negotiated.

Outstanding achievements of 2002 are summarized in paragraph 60 of the Secretary-General's report: the handing over of responsibilities from UNMIK to the Provisional Institutions of Self-Government, the extension of UNMIK's authority to northern Mitrovica, and the holding of municipal elections in October 2002. We have also seen the establishment of a stable and operational police force and a functioning local judiciary, increasingly reliable public transportation, regional cooperation to combat organized crime and dialogue with Belgrade. But, as the Secretary-General says, Kosovo still has a long way to go to achieve the benchmarks and targets set out in the benchmarks matrix.

Indeed, obstacles continue to exist on three levels: institutional, security and economic. Moreover, these constitute the priorities for 2003. First, with respect to institutions, in the civil service there are problems with human resources and difficulties in establishing a multi-ethnic civil service and in ensuring equitable representation of minority communities. With respect to the Assembly, there is deliberate confusion with respect to the competences that the Constitutional Framework grants to the Special Representative of the Secretary-General and to the Provisional Institutions of Self-Government. We also note the problem of the minorities and difficulties in working together in mixed municipal assemblies.

With respect to security, we note politically-motivated acts of violence, violence aimed at minority communities, acts of ethnic violence and the destruction of churches. All these problems seem to stem from the problem of the status of Kosovo. For further evidence, it suffices to turn to paragraphs 9 and 12 of the report of the Secretary-General.

Finally, with respect to the economic situation, development and stability are long-term processes requiring legal and socio-political preconditions, including the rule of law, peace and solidarity. These considerations call upon the international community to make an even greater commitment in Kosovo.

My delegation would like to express its appreciation to the United Nations, and to international humanitarian organizations and non-governmental organizations for their work on the ground. That work is particularly worthy. Its impact is immeasurable. We encourage them to persevere despite the many difficulties that they encounter. We reiterate our gratitude and encouragement to all those actors and to the members of UNMIK, who daily and tirelessly work in the field so that peace may finally prevail in Kosovo.

Mr. Traoré (Guinea) (*spoke in French*): My delegation welcomes the convening of this meeting on Kosovo and thanks the Secretary-General for his very detailed report (S/2003/113) and Mr. Steiner, Special Representative of the Secretary-General, for his briefing.

Concerned to ensure effective monitoring of the implementation of resolution 1244 (1999), the Secretary-General and the members of the Security Council successively carried out missions to Kosovo and Belgrade in November and December 2002, respectively. The Council's mission enabled us to assess the progress achieved and the challenges remaining, and to identify measures to be taken to deal with the situation on the ground. Our 4676th meeting, on 19 December 2002, was also very edifying with regard to those issues. The report that Mr. Steiner has just presented is part of the same dynamic.

While taking note of the successes achieved in the framework of the functioning of democratic institutions, my delegation encourages strengthening of cooperation between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Provisional Institutions of Self-Government, in strict respect for resolution 1244 (1999).

We welcome the extension of UNMIK's administration to northern Mitrovica and hail the Povratak coalition's decision to return to the Assembly. We urge the leaders of the majority and of the minorities to cooperate to a greater extent, taking into account the interests of all Kosovars.

We encourage the efforts under way in the area of decentralization, and once again we emphasize the need for the application of the benchmarks. We fully endorse the principle of "standards before status", which remains indisputable.

Moreover, we appreciate the measures under way in the areas of security and the judiciary, which have helped to improve the rule of law. However, efforts must be continued in the area of freedom of movement until a psychology of mutual acceptance among the various communities can be established.

The return of refugees and the restoration of property remain subjects of concern. My delegation

once again welcomes the setting up of a refugee task force and the actions undertaken with regard to the return of goods. We appeal to the international community, particularly the donor community, to contribute more to the implementation of UNMIK's 2003 strategy for the sustainable return of refugees.

In addition, we welcome the economic progress achieved in 2002. As we have always indicated, development programmes, in order to succeed, must take into account the interests of all components and all categories of the province, as well as the objectives of regional stabilization.

Moreover, it should be emphasized that the Kosovo Protection Corps should maintain its legal status in order to avoid any ambiguity. In that regard, my delegation encourages UNMIK and KFOR to continue their efforts.

In conclusion, we believe that the establishment of a lasting peace in Kosovo will be possible only through sustained commitment by the leaders, the civil servants, the civil society and the entire population of Kosovo in order to transcend differences and useless quarrels and to focus on the defence of common interests that will enable all to thrive.

Ms. Menendez (Spain) (*spoke in Spanish*): I shall be very brief, because Greece will shortly make a statement on behalf of the European Union that, of course, it will also be making on behalf of the Spanish delegation. I should like to make only three brief comments.

We thank Mr. Steiner for his comprehensive briefing. Resolution 1244 (1999) and the Constitutional Framework are the cornerstone of the action of the international community and that of the Security Council on the question of Kosovo, and thus the principle of "standards before status" remains valid.

We note from the report of the Secretary-General (S/2003/113) and from Mr. Steiner's briefing that the situation in Kosovo has been mixed. For example, there was improvement on the economic front in 2002, but at the same time there were structural problems, such as in job creation and investment, which remain problematic. In the security field there has been a general drop in crime, but recently there has also been an increase in violence with political overtones, which is disquieting. There has been some progress in the multi-ethnic area, but not as much as desired. We are also concerned about the issue of parallel institutions. Thus we see that there are a number of disquieting factors.

Our final comment is that we fully support the priorities indicated by Mr. Steiner for 2003, as well as the policy of the transfer of authorities, which he hopes will be carried out by year's end. We hope that such authorities will be responsibly assumed by those concerned.

The President: I shall now make a statement in my capacity as representative of Germany.

First of all, I should like to say that my delegation subscribes to the statement that Greece will make shortly on behalf of the European Union. Along with our partners in the European Union, we believe that the situation in Kosovo has come a long way since the adoption of resolution 1244 (1999). But, as we have heard this morning, much remains to be done.

I should like to thank Mr. Michael Steiner for his very detailed briefing this morning, which has brought us up to date. I should also like to commend Mr. Steiner and the whole team of the United Nations Interim Administration Mission in Kosovo (UNMIK) for their excellent work in Kosovo; we reiterate our full support for their efforts. We also support KFOR's excellent work on the ground and in the area of security. KFOR is fulfilling an essential task in that regard.

I should like to make a few points. First of all, we should like to welcome the extension of UNMIK authority to the northern part of Mitrovica, and we consider that a great and important step forward. Any attempt to undermine the authority of UNMIK or its integration efforts or to maintain parallel structures is in direct contravention of Security Council resolution 1244 (1999). There is no room for any form of co-governance, either in northern Mitrovica or anywhere else in Kosovo. The authority lies with UNMIK.

My second point is the following. We urge all parties in the region to fully respect resolution 1244 (1999). Any attempt to prejudge the final status of Kosovo now would be ill-timed and not helpful; such attempts would not be acceptable right now. We reject all attempts to prejudge the final status of Kosovo, whether they are aimed at declaring independence or at hastening a debate and a decision for which the time has not yet come. The international community must

stay the course. In his report, the Secretary-General was right: the principle of "standards before status" stands. Therefore, we strongly support Michael Steiner's concept.

We particularly welcome the explanations made by the Special Representative on the further way ahead in the implementation of the benchmarks. If we want to transfer by the end of this year the remaining authorities from UNMIK to the Provisional Institutions of Self-Government, and if we want to exclude the so-called reserved powers, then the benchmarks have to be met. To that end, both UNMIK and the Kosovar Institutions must join forces and make a major effort.

The implementation of the benchmarks is, however, a question not only of capability and efficiency, but also of good will. There are certain benchmarks that could be fulfilled immediately, such as the establishment of freedom of movement for the minorities. We strongly urge the Kosovo Albanians to demonstrate their commitment to the democratic, multi-ethnic future of Kosovo. Concrete action must be taken against the climate of ethnic hatred and revenge for the atrocities the Kosovo Albanian population has suffered. Instead, a climate of tolerance and mutual respect throughout all ethnic communities has to be created.

The answer to ethnic questions is not separation and division, but cooperation and integration. The development of a truly multi-ethnic society is a prerequisite for a successful future in Kosovo. It was towards the restoration of human rights and multi-ethnicity that made the international community intervene in Kosovo in 1999.

I would like to conclude by stressing the important role that KFOR plays as the guarantor of internal security and in assisting UNMIK in implementing its task. With regard to ongoing discussions of troop reductions in Kosovo, we should be aware of the implications of further reductions for the peace implementation process. We believe that close consultations with the Special Representative are needed to avoid possible security gaps.

I now resume my functions as President of the Security Council.

I now call on the representative of Serbia and Montenegro.

Mr. Šahović (Serbia and Montenegro): Allow me at the outset to congratulate you, Sir, on your assumption of the presidency of the Council for this month. We wish you every success in your extremely challenging task in February.

My delegation would like to express its appreciation for the visit of the Security Council mission to Kosovo and Belgrade last December, especially to Ambassador Kolby, the head of the mission. We consider it invaluable that the Council members had the opportunity to gain first-hand knowledge of the conditions on the ground. The report of the mission clearly demonstrates that so much still needs to be done in Kosovo and Metohija.

We also welcome the Secretary-General's report, which contains a comprehensive assessment of the overall situation in Kosovo, and we are grateful for his presence at this meeting. I wish to thank his Special Representative, Mr. Steiner, for his briefing.

I would like to take this opportunity to reiterate the importance of the recent adoption and promulgation of the Constitutional Charter of Serbia and Montenegro. The new Constitution will enable the country to stabilize and will contribute to the stability of the region as a whole. In this context, allow me to emphasize that the adoption of the Constitutional Charter does not change the identity or the international personality of the State. The international obligations and laws relevant to the Federal Republic of Yugoslavia, including resolution 1244 (1999), will continue to apply to Serbia and Montenegro.

We welcome the fact that the Security Council, in its presidential statement prepared for this meeting, expresses the same view, namely, that resolution 1244 (1999) remains fully valid in all its aspects in the context of the transformation of the Federal Republic of Yugoslavia into Serbia and Montenegro. We are firmly of the view that all United Nations documents should continue to reflect the fact that Kosovo and Metohija is a part of Serbia and Montenegro, in accordance with resolution 1244 (1999). Specifically, our position is that reference to Serbia and Montenegro should be inserted into United Nations documents whenever Kosovo is mentioned.

It is necessary to assess the extent to which resolution 1244 (1999) has been implemented. With due respect to significant efforts and gradual improvements in some segments, the reports of both

the Secretary-General and the Security Council mission, as well as recent reports by other international bodies, clearly indicate that, after almost four years of the international presence, the objective of a stable, multi-ethnic and prosperous Kosovo and Metohija is far from being achieved. There are still flagrant violations of human and minority rights. Violence, crime, intolerance, arms, drugs and trafficking in human beings are, unfortunately, abundant throughout the province.

Our primary concerns continue to be security, human and minority rights, the return of refugees and internally displaced persons, and resolving the fate of the missing. Decentralization, which has unfortunately not moved from the initial stages, is also of immense importance as a precondition for ensuring equal rights for all communities.

Within the context of security and minority rights, the issue of protecting cultural and historical heritage and religious sites must be addressed. Regrettably, the efforts of KFOR and the United Nations Interim Administration Mission in Kosovo (UNMIK) have been insufficient, as has been evident from the destruction of more than 100 patrimonial sites in Kosovo and Metohija in the past few years.

The Secretary-General's report has noted the obstacles to the establishment of a multi-ethnic civil service, which include security concerns and the lack of freedom of movement. The report concludes that violence against the Kosovo Serb community has been widely condemned by the international community, while the reaction of the Kosovo leadership has been rather low-key.

One of the goals of resolution 1244 (1999) is the establishment of substantial autonomy in Kosovo and Metohija. However, many developments on the ground undoubtedly go well beyond the scope of autonomy. Some of the decisions by UNMIK have contributed to this situation. Also, there have been major attempts by the Provisional Institutions of Self-Government to overstep their authority, established in the Constitutional Framework.

The Secretary-General's report concludes that Government meetings and Assembly sessions are characterized by an increasing desire to encroach on the powers reserved to the Special Representative of the Secretary-General, while the Assembly has shown continued reluctance to accommodate minority community demands. The report notes several new year messages from leading Kosovo Albanian politicians calling for independence in 2003.

The latest example of this pattern of behaviour is a proposal by a number of Albanian deputies of the Kosovo Assembly to adopt a declaration of independence for the province. While recognizing the freedom of political expression, we do believe that it is essential to abide by international law and relevant documents, which are binding for all. We therefore urge the Security Council to respond decisively to the aforementioned initiative, as it is not only contrary to resolution 1244 (1999), but also poses a threat to regional stability. Otherwise, this trend towards creeping independence will continue — a trend that motivates the calls to begin discussions on the future of Kosovo and Metohija, and to begin such discussions "before it is too late" and while there is still something to discuss.

Time and again, we have stressed the importance of initiating a dialogue between Belgrade and Pristina. For our part, we are ready to engage in this process. However, our calls to that effect have gone unanswered. We have to rebuild ties between the various parts of the country if we want to leave the tragic legacy of the past behind. Also, we firmly believe that our cooperation with UNMIK is a key to the successful implementation of resolution 1244 (1999). The cooperation needs to be further intensified and improved, which implies that all our agreements and understandings should be honoured. Mutual trust is a sine qua non for this cooperation. In that sense, the arrangements for northern Mitrovica are especially important and have to be fully implemented to enable us to move forward.

The benchmarks of the Special Representative of the Secretary-General are an important aspect of the efforts to normalize Kosovo and Metohija. However, we strongly believe that the Security Council should remain focused on resolution 1244 (1999) as the basic, legally binding document on Kosovo and Metohija. Unfortunately, it is obvious that a number of important provisions of the resolution have not been implemented yet. We therefore reiterate the need for its full implementation, including paragraph 9.

My country fully shares the view of the Security Council mission that continued substantial international engagement in Kosovo will be necessary

in the foreseeable future. The fact that only 2 per cent of internally displaced persons have been able to return to Kosovo and Metohija so far is the best proof that the current level of international security presence should be maintained.

We are relying on the Security Council to continue to address all of those problems and to actively monitor the events in Kosovo and Metohija. It is of particular importance that the Council continue to act in a resolute and comprehensive manner, in line with its authority under resolution 1244 (1999), taking into account the interests of all parties concerned. No party should be excluded from that process. Short of that, it is difficult to expect any substantive improvement in the situation in Kosovo and Metohija.

The President: The next speaker inscribed on my list is the representative of Greece. I invite him to take a seat at the Council table and to make his statement.

Mr. Vassilakis (Greece): I should like first to congratulate you, Mr. President, on your assumption of your new duties and to offer you my best wishes.

I have the honour to speak on behalf of the European Union (EU). The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey and the European Free Trade Association country member of the European Economic Area Iceland align themselves with this statement.

We welcome the participation in today's meeting of the Secretary-General's Special Representative, Mr. Steiner, and we thank him for his statement.

We would also like to express our appreciation to Ambassador Kolby of Norway for his comprehensive report on the Security Council mission to Kosovo (S/2002/1376), which took place towards the end of last year. For the European Union, it is reassuring to know that the Security Council is continuing to closely follow the situation there and is still interested in and very much committed to safeguarding its stability and monitoring its development. It is only with the active involvement and continuous help of the international community that the area will manage to deal with its many and pressing problems.

There is no doubt that the situation in Kosovo has moved forward since the adoption of resolution 1244 (1999). Nevertheless, there is also no doubt that there is still a long way to go before the province achieves the goal of establishing stable and truly functioning multi-ethnic and multicultural democratic institutions which will allow full minority participation.

The full implementation of Security Council resolution 1244 (1999) remains the cornerstone of the EU's policy on Kosovo, and the "standards before status" policy provides the benchmarks which form the basis for Kosovo's future. Responsible self-administration and the consolidation of a climate of peaceful coexistence among the ethnic groups are of paramount importance in building a multi-ethnic and multicultural Kosovo.

Despite the settlement of 1.5 million refugees and internally displaced persons in South-East Europe, more than 1 million people still remain displaced. That constitutes a major humanitarian, social and political challenge for all of us. Achieving the genuine and sustainable reintegration of minority returnees is an indicator of political and democratic maturity, as well as of compliance with internationally accepted standards. A Kosovo in which members of minority communities are oppressed will face a bleak future of self-isolation. All regional actors must spare no effort in establishing the appropriate security and legislative conditions which will make the returns feasible and in allocating resources to ensure their sustainability and the inclusion of the returnees in the economic recovery process. Efforts should also focus on the real issues facing the province: economic development, tackling unemployment, attracting foreign job-creating investment, privatization, education, health and the fight against organized crime.

The EU supports the objectives of the Special Representative of the Secretary-General, Mr. Steiner, in tackling these challenges: laying the foundation for economic progress; establishing a political culture based on the rule of law, including the fight against organized crime and violence; and building a fair and just society with dignity for all. The EU calls on all parties to cooperate fully with the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR in pursuing those objectives.

Organized crime in particular is a scourge for the region, threatening the very foundations of all our efforts there. It nourishes corruption and ethnic conflict, impedes the building and normal functioning of democratic institutions, the rule of law and the

market economy and finances illegal armed groups. Its elimination is of vital importance if any stability and development is to be achieved.

Respect for and the protection of cultural monuments and religious sites is another challenge that we have to deal with. The European Union unequivocally condemns all religious vandalism and supports all efforts aimed at preserving and restoring the cultural monuments and religious sites which are the common heritage of the peoples of the region, irrespective of their ethnic affiliation or religious beliefs.

We have repeatedly said in the past that United Nations authority throughout Kosovo is unconditional. There can be no mono-ethnicity and no parallel structures. We support UNMIK's intention to transfer further competences to the Provisional Institutions of Self-Government. With power comes responsibility, and responsibility means, among other things, compliance with international obligations, including cooperation with the International Criminal Tribunal for the Former Yugoslavia.

On 25 November 2002, UNMIK took over the north Mitrovica building that once housed the parallel municipal administration in an effort to dismantle the parallel structures which had been established there. The European Union welcomes the extension of direct administrative authority by UNMIK in northern Mitrovica as an important step towards the future normalization of the situation in Kosovo. It is a fine example of the positive impact that close cooperation between UNMIK and the authorities in Belgrade can have on handling the many issues facing the region. We welcome that cooperation and urge its further enhancement in the future. We also believe that the cooperation between Belgrade and the elected representatives of the people of Kosovo will be instrumental in creating conditions of security necessary for the stability and development of the whole region. All parties need to demonstrate that they can carry out their commitments within the existing framework. It is unacceptable for anyone to unilaterally decide Kosovo's status.

Having touched upon the areas for which benchmarks have been established, I would like to reiterate the European Union's strong commitment to the stabilization and association process for the western Balkans as the cornerstone of our relevant policy. Enriched with knowledge drawn from the recently completed enlargement process, the stabilization and association process, which is aimed at strengthening the accession-oriented dimension, explores ways to introduce the aim of economic and social cohesion into European Union policies and to assess priorities, eventually leading to European integration.

The President: The next speaker inscribed on my list is the representative of Norway. I invite him to take a seat at the Council table and to make his statement.

Mr. Strommen (Norway): Let me start by congratulating you, Sir, on your assumption of the presidency of the Security Council for the month of February.

Norway would like to thank Special Representative Steiner for his briefing and the report (S/2003/113) on the United Nations Interim Administration Mission in Kosovo (UNMIK) that has been presented to the Security Council. We would once again like to reiterate our full support for Mr. Steiner's work, and our appreciation for the efforts carried out by him, UNMIK and the Provisional Institutions of Self-Government in ensuring the implementation of Security Council resolution 1244 (1999).

At the 4676th meeting of the Council, held on 19 December last year, Ambassador Kolby presented the report on the Security Council delegation's visit to Kosovo and Belgrade. Please allow me to reiterate the most important findings of that mission.

The mission found notable progress in several areas as regards the implementation of Security Council resolution 1244 (1999). The elections held for the Kosovo Assembly in 2001 and for the municipalities in 2002 have led to the formation of Provisional Institutions of Self-Government and the new municipal assemblies. The process of handing over power and responsibility to local institutions continues.

There is also progress in the area of the rule of law. Crime rates are down and security is improving. The Kosovo Police Service continues to increase in numbers, and the judiciary is in the process of being established, both of them as multi-ethnic bodies.

However, despite that progress, many inadequacies remain, as detailed in the mission's report. Kosovo is still a long way from having truly functioning democratic institutions and a society where

minorities can fully participate. The situation remains fragile, and much work remains to be done, by UNMIK, the Kosovo institutions and local communities. That includes, in particular, the rule of law, combating organized crime, democratization, sustainable returns, inter-ethnic reconciliation and cooperation between Pristina and Belgrade.

As regards the latter, the reluctance of some Kosovo Albanian leaders to engage directly with Belgrade officials exemplifies an isolationist tendency that is unrealistic in both the regional and the European perspectives. The establishment of the rule of law is central to achieving security, a functioning democracy and sustainable economic development. As a majority, Kosovo Albanians must take responsibility for the security of members of minorities and their full access to public services. At the same time, members of minorities must integrate into Kosovar society. Parallel institutions have no future; integration is the only way forward.

Allow me to further elaborate on a few important issues also addressed in the presentation of the report. The formulation of benchmarks for the realization of standards is a constructive approach for Kosovo's further development into a democratic and multi-ethnic society. As reported, the progress achieved so far seems to have been driven, to a great extent, by the international community. Again, we would like to underline the importance of making yet greater efforts to involve local institutions and political leaders from all communities in the practical formulation and implementation of political goals and strategies.

The further specification and implementation of the benchmarks must therefore be worked out in cooperation with local authorities. UNMIK must go the extra mile in order to secure that local ownership. But so, too, must local political leaders. Words must become action. The apparent reluctance on the part of the Provisional Institutions of Self-Government to engage in that process is counter-productive and undermines the further democratization of Kosovo. A greater degree of local ownership of, and commitment to, the achievement of the benchmarks is a prerequisite for the ultimate successful implementation of European standards in Kosovo.

The communities themselves also have a very critical responsibility in that regard. Local politicians in both the Assembly and the municipal assemblies have repeatedly asked for more power and for an accelerated transfer of greater responsibility. The attitude of local political leaders in that regard raises certain questions. They demand greater power and responsibility, but are at the same time not able to deal adequately with the power and responsibility that are already within their mandate. We strongly urge local political leaders from all communities, as well as the Provisional Institutions of Self-Government, to make a strong effort to fulfil their existing mandates. Norway supports Special Representative Steiner's statement that more competences will be transferred, but on the condition that local institutions work more seriously.

The decentralization of municipal responsibilities is a very important process. We are pleased to note that UNMIK, together with the Council of Europe, has initiated a process to build local ownership for a decentralization strategy. Consultation and collaboration with political leaders representing a cross-section of the communities in Kosovo is of fundamental importance in that respect. Nothing imposed from the outside will be sustainable in the long run.

Despite an overall improvement in the area of law and order, we have witnessed some worrying events in Kosovo in the first month of this year. The rocket-propelled grenade attack on UNMIK police headquarters and the recent spate of murders and assaults in several places in Kosovo undermine efforts to build law and order and represent a serious challenge to the international community, and not least to the Provisional Institutions of Self-Government. This only underscores the tenuous state of the rule of law in Kosovo, and further highlights the importance of the benchmarks approach. We urge UNMIK and the Kosovo Police Service, as well as local political leaders, to do their utmost to strengthen the public's support and respect for law and order in Kosovo. While we note and appreciate the clear condemnations of violence by Prime Minister Rexhepi and certain municipal officials, the muted reaction of the majority of political leaders can only be described as both disappointing and unacceptable.

On the question of the final status of Kosovo, we have seen several initiatives lately, both from Belgrade and from Kosovo. Those initiatives are not helpful. They represent a distraction. They deflect attention from what we all should consider to be the main task at hand, namely, the realization of higher standards of

government and society for the benefit of all the inhabitants of Kosovo. That was the main message of the Security Council mission to Kosovo and Belgrade last December. All parties should now focus on the realization of Special Representative Steiner's "standards before status" approach.

The President: I now give the floor to Mr. Michael Steiner to respond to comments and questions raised.

Mr. Steiner: First of all, let me thank the Security Council as a body for its strong support for the policy we have proposed to it.

There were not many questions raised this time. I shall try briefly to address the ones that have been asked.

The Central Fiscal Authority (CFA) has been mentioned, as has the question of its merger into the Provisional Institutions. By the way, the CFA had been one of the most successful institutions of the United Nations Interim Administration Mission in Kosovo (UNMIK). Let me just say in this regard that, as of 1 January 2003, the Central Fiscal Authority does not exist any more. It has been merged into the Ministry of Finance. I think this is a major success. I believe we have done what could be done in that regard.

Secondly, I wish to address the question of conditionality, which is an important question not only in Kosovo but, very generally, as regards the engagement of the international community in various areas. I think that conditionality is unavoidable, and that we should pursue it. By the way, this is a policy that is exercised by the European Union with respect to the integration path of European countries. It is surely a path we too should follow in implementing the benchmarks in Kosovo.

I think the important point in this area is to think about negative and positive conditionalities. Another important point is that there is both a central level and a local level. When we talk about conditionality, we should also think specifically about the local level. Why? Because the return of refugees and multi-ethnicity take place at the local level in day-to-day life. What is very important when looking at the situation in Kosovo, I believe, is that one sees a very differentiated picture. There are communities that are quite successful as concerns respect for multi-ethnicity and the rights of minorities, as well as return efforts. There are others in which one can still hear noises from local representatives that are not very helpful and not in line with our common policy.

What we should do, I think, is look very carefully at the situation on the ground to see how each community fulfils its obligations, specifically with regard to multi-ethnicity, but also in other areas of good governance. We should then apply the concept of conditionality there as well. There are a number of municipalities that really deserve credit, including financial credit, and credit from international aid, when they go the extra mile specifically in relation to others. I would view the situation in such a differentiated way. The same is true, of course, at the central level. In a way, the benchmarks are the measure of whether things are fulfilled or not. No doubt, conditionality is one of the essential elements of our work. But I would propose that we think not only about negative conditionality but positive as well.

The work plan for further operationalization of the benchmarks was discussed. Let me say I agree fully with the statement just made by the Norwegian representative, who said that further specifics regarding implementation of the benchmarks must be worked out in cooperation with the local authorities, meaning the Provisional Institutions. I think that this is key, because we are now in a phase in which we hand over authority as far as we can, legally as well as technically. Also, when we have specific requirements, we have to act in cooperation with the institutions, and mainly the Government. That is surely right.

What we have tried to do today is to give the Council a first indicator on where we stand. Thus, we have a base line. The Council also has before it a document that, although it does not contain very new elements and follows the benchmarks with the sub-benchmarks already established last year, tries to tell you somehow where we are. This is a summary of a much bigger paper that we ourselves prepared within the Mission. The idea is that from now on we will report to the Council on where we go and what we achieve starting from this base line, so that we can be as concrete as possible on our progress towards fulfilling the benchmarks.

Concerning decentralization, I think that we need to be clear on what the parties themselves have requested. After the municipal elections, an agreement between all Kosovo leaders was reached, including the

Serb community and the head of the parliamentary faction in the Assembly, as well as Belgrade. I was quite happy about that. I spoke with President Kostunica, and he fully agreed to it. This is classic and typical work that should be done by the Council of Europe.

This is why, on the basis of a consensus between all the leaders of Kosovo and on the specific verbal, express recommendation of Belgrade, we have said: let this job be done by those who understand it. There is one institution that really has experience in decentralization, and that is the Council of Europe. On the basis of this consensus, we have invited the Council of Europe to come to Kosovo and take over the lead in this work. I am very glad that the Council of Europe and its Secretary-General, Mr. Schwimmer, immediately agreed to do so. I am also very glad that this coming Monday, we will have a permanent mission from the Council of Europe there doing nothing else but elaborating a concept on local self-government and decentralization.

This is exactly the right approach. We should now let the Council of Europe do its work, talk to all the parties, from the Provisional Government to the different representatives, specifically including, of course, those of the minorities, and then come up with a proposal. I cannot implement such a proposal ex officio. Of course, such a proposal must gain life in the reality of Kosovo, which means it must be discussed in the Provisional Institutions. If any legal conclusions are to be drawn from this, it must be done in cooperation with all the parties.

Let us continue on this road, which we have established on the basis of a consensus of all the parties. The Council of Europe is taking the lead, and it should now prepare a concept. This should be done as quickly as possible, but at the same time this is very far-reaching. The issue of decentralization goes very far in many aspects. Let them do their work, let them talk to all of the parties. Then we shall look at that and how we can implement the concept in the legitimate structures as they are established in Kosovo.

I would like to make a final point on substance, and that is the return and the numbers of returns. I would like to be very clear here. First of all, concerning what we achieved last year and what we hope to achieve this year, I think that we have the structures to prepare operationally for the return season, which starts in April and May, this year. We have the structures both on the local level — because return happens on the local level — as well as on the central level. We have the Serb coordinator for return in the Government. I have a senior adviser for return. Also important, we have, I think, the necessary money provided by the international community to prepare the projects, which are costly. This is because someone cannot simply be returned. There is a need for housing, education, economic prospects, access to infrastructures and the appropriate security. I think that the international community has provided for this. What we need is active cooperation from the local institutions.

The numbers were mentioned. I would just like to clarify here that all the numbers that we mentioned are not ours; they are the official figures of the United Nations High Commissioner for Refugees (UNHCR). Just to be very clear, the UNHCR's most recent numbers, summing up the situation as of 31 December 2002, say the returns in 2001 were 1,447 and the returns in 2002 were 2,671. In total, there are 6,024. These are not my numbers; they are the numbers of the UNHCR. We have to take something as an objective basis. We are just referring to official UNHCR numbers.

Concerning the outflow, nobody has the exact numbers, but there is common consent among the entire return community and the institutions concerned that the numbers are not high enough on returns because of the problems we still have that have been mentioned. But it is very clear that the number of returns this year was greater than the outflow in the past. Therefore, there is a positive development.

I have addressed the questions as I have recalled them. But let me say at the end that UNMIK understands itself to be an instrument of the Council. We are following its guidelines. We will continue to make proposals, but in the end it is very important that the Security Council set the guidelines and we try our best to fulfil them.

My impression from this discussion was that we are right to focus on the standards. We are right to focus this year on the three priorities, namely the economy and the job situation, crime and multi-ethnicity, including return.

I also detected here guidelines and instructions from the Council to intensify work on the transfer of

power, as I have proposed — that we should do everything we legally can not to reserve power but to transfer it to the institutions, but also that the institutions as well must make efforts to be in a position to exercise it.

I am very encouraged also that the Council seems to be in consensus in endorsing that we should now have a direct dialogue on questions of mutual interest between Pristina and Belgrade.

Finally, I think that it is fair to say that I have felt here also a consensus on the fact that regional integration — meaning integration into Europe — is an important perspective for all of the countries in Europe, and I am very grateful for the statement of the President, who expressed exactly that. The Summit in Thessaloniki on 21 June will be of particular importance there. I am very grateful for this continued support.

The President: I thank Mr. Steiner for the clarifications he has provided and for the explanations he has given us. We wish him well in his future work. I hope that, in the meeting that will immediately follow, we will be able to authorize a presidential statement that will give him the support that he just requested.

There are no further speakers inscribed on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.55 p.m.